



Travis County Children's Protective Services Board Report to Travis County Commissioners' Court

2008 – 2012 Trends

Regarding the Welfare of Children in Travis County and the Goals and Accomplishments of the
Travis County CPS Board

This report to the Travis County Commissioners' Court (Commissioners Court) provides information regarding Travis County children who have been served by the Department of Families and Protective Services' (DFPS) Child Protective Services Division (CPS) because of alleged abuse or neglect. The CPS Board works with Travis County Health and Human Services and DFPS for the purposes of providing coordinated state and local public welfare services for children and their families. This report presents an overview of how the CPS Board is addressing the needs of our children while in the child welfare system and highlights some of the prevention and intervention strategies the CPS Board has worked on in Travis County to keep children safe and connected with their biological families and communities. This report will summarize and use data from the past four years about the state and county child welfare system.

Travis County's Role in Helping Children in the CPS System

When Travis County children are reported to be abused and neglected and become involved with the DFPS's CPS system, Travis County plays an integral role in providing services and funds to help these children. DFPS and Travis County Health and Human Services (TCHHS) have a contract to facilitate IV-E reimbursement from the federal government of the county's general funds expended on behalf of children and families involved in the CPS system. Travis County Health and Human Services-Office of Children's Services (TCHHS-OCS) staff and local CPS staff frequently collaborate on initiatives and issues facing the children and families of Travis County. CPS staff report to the CPS Board on issues and legislation impacting the agency and the children and families they serve.

Travis County provides direct support to the CPS system through local judges and court staff who manage the CPS docket, the Family Services Division of the Travis County District Attorney's Office, which prosecute the cases concerning the welfare of children, the Travis County Constable's Office, which facilitates the serving of petitions, and the Domestic Relations Office, which provides statistical analysis and oversight of CPS cases. Travis County funds a portion of the CASA and Austin/Travis County Children's Center social service contracts. These agencies and organizations provide direct support to children involved in the CPS system.

The CPS Board directs budgeted Travis County funds to help fulfill children's needs that exceed or fall outside the parameters of approved services under CPS's budget or other state and federal funding sources. The CPS Board has helped support children in CPS conservatorship and their caregivers by approving county financial assistance to pay for such items as clothing; extraordinary medical, dental, psychological and psychiatric evaluations and services; driver's education; life skills training; ongoing drug testing of parents to ensure compliance with court orders; and educational needs that would not otherwise be available to the children.

Increasing Numbers of Abused or Neglected Children in Travis County

Child abuse and neglect continues to be an unfortunate, chronic part of our community, and the number of cases is significantly on the rise. Referrals of child abuse or neglect assigned for investigation by CPS increased by 20 percent from 2009 to 2011 and remained over 10,000 for both FY 2010 and 2011.¹ The table below shows that while there was a steady decline in confirmed cases of child abuse and neglect in Travis County from 2007 through 2010, a significant increase in that population was noted in the following year. From 2010 to 2011, the number of confirmed victims jumped by 748 children -- an almost 50 percent increase. The number of children removed from their homes also increased significantly between 2010 and 2011, after falling the previous year.

Figure 1: Child Abuse and Neglect in Travis County

Year	Child Population	Alleged Victims	Confirmed Victims	Children Removed
2007	214,124	11,975	2,280	362
2008	216,249	10,647	1,960	409
2009	218,088	10,786	1,777	368
2010	232,199	9,278	1,735	484
2011	235,544	10,746	2,483	627

(Source: DFPS Data Books, County Charts, 2007-2011)

The average number of Travis County children and youths in foster care increased by 23 percent between 2010 and 2011.² The children who are removed from their family homes and placed in substitute care³ are under 18 years of age, in DFPS's legal conservatorship, and are in these placements during 1) the pendency of the lawsuit concerning their welfare or 2) at the case's final disposition.

¹ Travis County FY 2013 Budget Submission Departmental Program Information.

² *Id.*

³ Substitute care includes (1) foster homes developed and managed by CPS or child placing agencies, (2) kinship care with relative or other kinship caregivers, (3) emergency shelters, (4) residential treatment centers, and (5) independent living programs. Substitute care also includes youths who age-out of foster care but remain in a foster care placements to complete vocational training or graduate from high school.

Process of CPS Cases of Abuse or Neglect in Travis County

DFPS's CPS system aims to keep children safe and is authorized to initiate legal proceedings to order a child into the state's supervision or official conservatorship if necessary.⁴ Travis County courts and CPS endeavor to keep families together and intact, but will place a child in substitute care when it is found to be unsafe for a child to remain at home.

Travis County is the largest of the 30 counties that comprise DFPS Region 7. The local CPS offices, which provide services and protection to abused and neglected children and their families in Travis County, have 14 investigation units, six conservatorship units, three Family Based Safety Services (FBSS) units, one drug court unit which has both investigation workers and FBSS workers, and one regional foster and adoptive home development unit.

The chart labeled Figure 1 in the attached Appendix presents a basic overview of the systematic approach to an investigation of alleged abuse and neglect from the time CPS receives the allegation until a legal case regarding the welfare of a child is closed. Figure 2 in the Appendix shows an overview of the court process for child abuse and neglect cases. Under Texas statute, cases concerning a child's welfare must be resolved within one year, with a single extension for cause to extend a case an additional six months.

Legislative Reform of the Texas Child Welfare System

While confirmed victims of abuse or neglect increased from 2007 to 2011, there was a significant decline in the number of children in substitute care from 2008-2010. This decline was due to a number of factors, including state-level comprehensive DFPS reform efforts over the past few legislative sessions. The federal *Fostering Connections to Success and Increasing Adoptions Act of 2008*, signed into law in October 2008, significantly overhauled the federal child welfare structure, in recognition that foster care is not a viable long-term solution for children, and that maintaining connections with relatives usually fosters a better long-term outcome for children. It further focused on the recognition that not every child in foster care will be adopted and that older children in foster care need more help.⁵

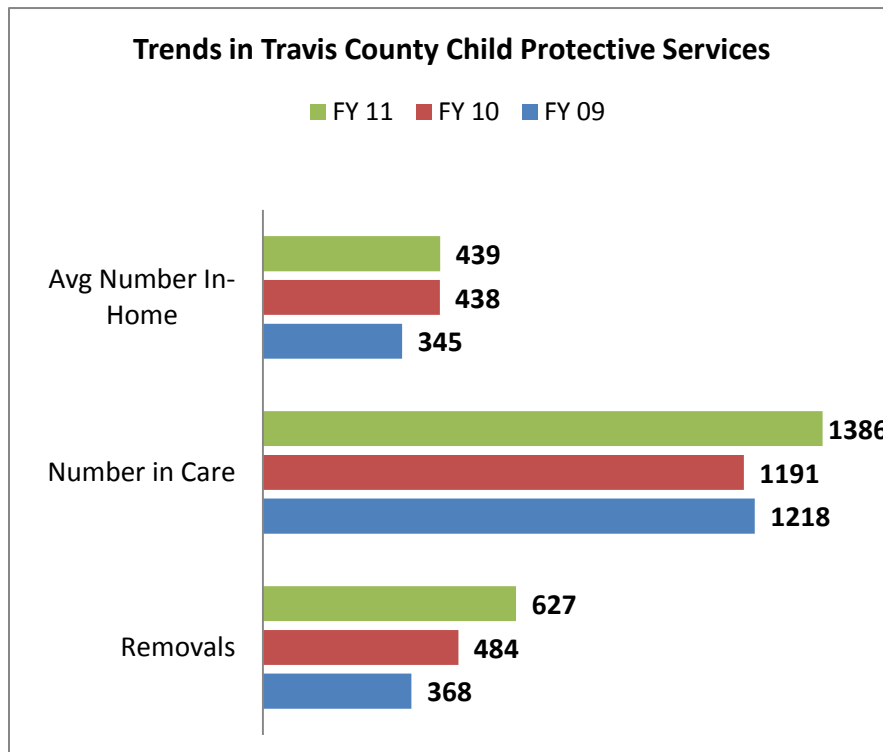
Texas legislation enacted in 2005, 2007 and 2009 also aimed to reform the child welfare system, focusing on: 1) reducing caseloads, 2) improving investigations and reducing removals by keeping children in their homes while the families received services to remedy their problems, and 3) increasing funding directed toward helping kids stay safe in their family home or be placed with kin. These reforms contributed locally to a decline in the number of children in substitute care. DFPS also addressed mandated reforms by taking steps to improve conservatorship services, its FBSS unit, and foster care. Legislation in 2009 further enacted

⁴ State supervision or conservatorship can be: (1) on a limited basis, without removal of a child from the home, while the family receives services and CPS monitors the child's family home, termed Court-Ordered Services (COS); (2) through removal of a child for a limited time while the family receives services to address its needs, termed Temporary Managing Conservatorship (TMC); or (3) by permanent removal of a child, through termination of the parents' parental rights by court trial or agreement, whereupon the state assumes Permanent Managing Conservatorship (PMC) of a child until the child is adopted or reaches adulthood.

⁵ Department of Family and Protective Services, at www.dfps.state.tx.us/Child_Protection/Fostering_Connections/.

reforms to support efforts to move children from CPS conservatorship and into permanent homes and improve outcomes for youth coming of age (aging-out) in foster care.⁶

Despite this trend and reforms, 2011 experienced a significant increase in the number of children in substitute care. The graph below shows an approximate 84% increase in the number of children entering foster care from 2010 to 2011.⁷ Some factors that likely contributed to this increase include the economic downturn, increased population of Travis County, and the significant cuts in state funding in the 2011 Texas legislative session. This increase is continuing in 2012.



(Source: FY 2013 Travis County Budget Submission Departmental Program Information)

The Center for Public Policy Priorities recently noted that budget cuts made in the 2011 Texas legislative session for family-support and caseload growth funding will have the effect that children who “could have otherwise stayed safely at home or lived nearby with a relative may now end up in foster care which . . . is much more expensive.”⁸ The 2011 legislature also cut funding for child abuse prevention programs by 44%.⁹ Funding for in-home services was cut by 28%.¹⁰ The combination of increased numbers of children and families needing services and decreases in funding for services continues to strain the resources of CPS, resulting in high caseloads and staff turnover rates.

⁶ *Child Protective Services Legislative Summary from the 2011 Session*, Center for Public Policy Priorities, September 2011.

⁷ Travis County FY 2013 Budget Submission Departmental Program Information.

⁸ Burstain JM. , *The 2012-13 Budget for Child Protective Services: The Good, the Bad and the Ugly*. Center for Public Policy Priorities. July 2011.

⁹ *Id.*

¹⁰ Travis County FY 2013 Budget Submission Departmental Program Information.

Trend to Support Kinship Care for Children in Texas

Historically, Travis County has used its funding for children in the CPS system to assist those who are in substitute care other than kinship placements. Children in the conservatorship of DFPS in foster placements are considered to be indigent and thus qualify for various county services. The CPS Board budget and expenditures have primarily been focused on service to this population.

With federal and state legislation in the past five years mandating the increasing trend toward keeping children and their families intact, by supporting FBSS and favoring kinship placements for children removed from their homes, funds are more frequently sought by CPS to help children be able to stay in their family homes or in kinship care.

Kinship care includes extended families or others who can play a significant role in rearing children whose parents are having a difficult time. CPS's Kinship Care Program helps relatives and close family friends who have a longstanding relationship with abused and neglected children (called "fictive kin") agree to become permanent caregivers. The number of children in kinship care, while in DFPS managing conservatorship, has increased significantly over the past several years.

Keeping Families Together: FBSS and Kinship Placement

CPS's FBSS Program is designed to ensure child safety within the family home. FBSS provides protective services to families investigated by CPS whose children have not yet been the subject of a CPS-initiated lawsuit or ordered into the managing conservatorship of DFPS. The FBSS services include family counseling, crisis intervention, parenting classes, substance abuse treatment, domestic violence intervention, and day care.¹¹ If FBSS is not appropriate or successful and children must be removed from their home for their safety, CPS and the courts are required to consider a temporary placement with a relative.¹² The 82nd Texas Legislative Session in 2011 codified this requirement and a process for considering relative placement before other types of substitute care.¹³

Kinship placement is thought to confer many benefits on children including: 1) greater stability, love and care from people the child knows and trusts, 2) reinforcement of a child's sense of connection, cultural identity and self-esteem, 3) maintenance of extended family connections, and 4) helping a child build healthy life-long relationships, traditions and memories with family.¹⁴ Most of the relatives with whom children are placed are not verified as foster parents and therefore, do not qualify to receive certain types of public funding support.¹⁵

¹¹ Texas Department of Family and Protective Services, Annual Report 2011, at page 15.

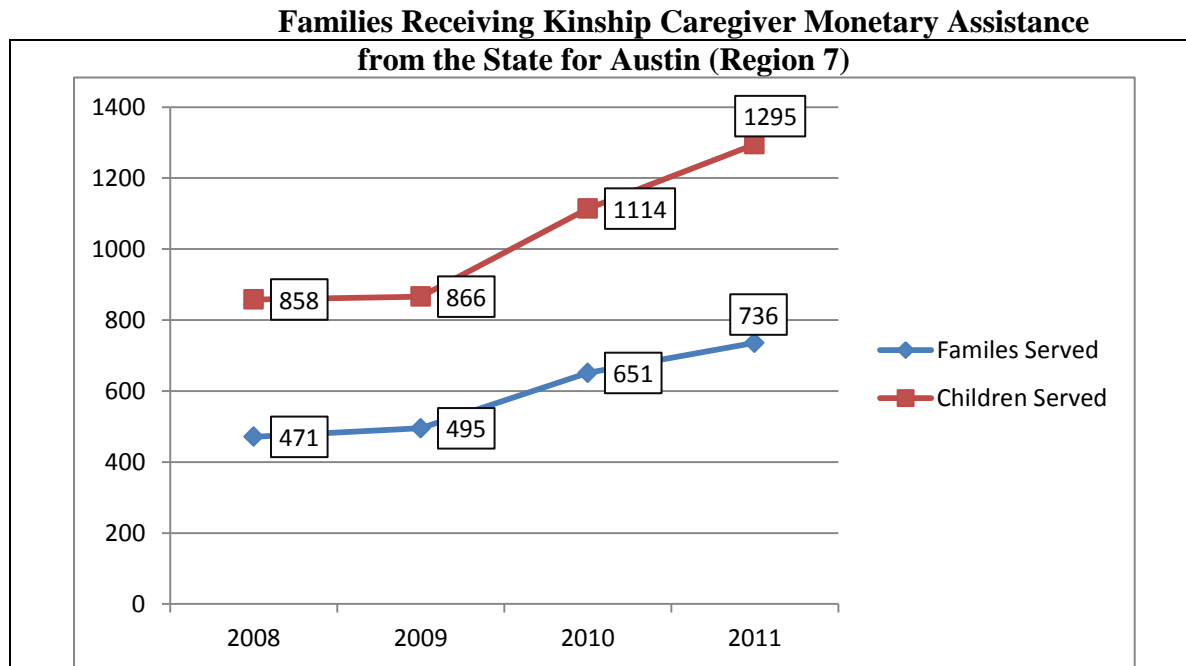
¹² *Child Protective Services in Texas: Buying What We Want*, Center for Public Policy Priorities, January 2012, at page 4.

¹³ Texas Family Code § 262.1095 (2011).

¹⁴ Department of Family and Protective Services information, at www.dfps.state.tx.us/Child_Protection/Kinship_Care/default.asp

¹⁵ CPS investigates placement options and considers all available information, parents' wishes, and conducts a home assessment when making a kinship placement. For kinship adults who qualify to be kinship care providers and earn less than three times the poverty level, the Kinship Care Program may provide a one-time payment of \$1,000 per child or sibling group. This money typically is used for bedroom furniture for the children. Kinship caregivers also can receive up to three years of payments of \$500 per year per child for child-rearing expenses.

The chart below shows the rising numbers of children and families served by this program. Kinship placements may, if qualified, participate in a process to become licensed as foster parents and receive monthly payments for caring for their foster child, but are required to meet the same standards for verification as non-kinship foster parents.¹⁶



DFPS received state support in 2009 to have a Permanency Care Assistance Program (PCA) to provide financial support to kinship caregivers who take permanent legal responsibility for a child who cannot be reunited with his or her parents and for whom adoption is not an appropriate permanency option.¹⁷ Kinship caregivers must qualify for this program by, among other requirements, becoming verified as foster parents, caring for the child as foster parents for at least six months, negotiating an agreement before receiving legal custody, and then going to court to receive legal custody. The legislature has approved extending PCA benefits to a youth up to age 21 if the PCA agreement was signed after the youth turned 16.

The CPS Board supports the position that Travis County's abused and neglected children would benefit from greater latitude to spend county funds to help support measures to allow children to remain with parents, relatives or other kinship placements. Providing some simple and occasional supports for this population likely will help keep children with family, facilitate more kinship placements, and promote family stability for children involved in the CPS system.

¹⁶ The DFPS Child Care Licensing (CCL) Program processes Child-Placing Agency (CPA) may grant waivers/variances on minimum standards for both kinship foster homes and unrelated foster homes on a case-by-case basis. Department of Family and Protective Services information, at www.dfps.state.tx.us/Child_Protection/Fostering_Connections/licensing_kinship.asp.

¹⁷ Department of Family and Protective Services information at www.dfps.state.tx.us/documents/Child_Protection/2011-09-15_FC-Handout.pdf

The CPS Board requests the budget flexibility to use available county funds to aid this group of Travis County children involved in the CPS system. Travis County, through the use of the CPS Board budget, has provided some support for kinship placements by paying for smoke alarms, fire extinguishers, and fingerprinting to help relatives or other prospective kinship placements to be able to qualify to gain placement of their relative children. The evidenced-based practice shows that this kind of minor funding supports for families will result in more positive outcomes for the children, families, and community and be less of a drain on our limited public funds.

Travis County Model Court for Children and Families

TCHHS-OCS and CPS Board members have participated in the planning and development of the Travis County Model Court for Children and Families (Model Court), created in 2008.¹⁸ The Model Court seeks to address the needs of children and families who are involved in the CPS system or both the CPS system and the juvenile justice system. The program was developed in response to Texas legislation designed to improve the coordination and interactions of the family courts, juvenile courts, CPS, and other service providers in order to improve the outcomes for children and families.

The Model Court is comprised of a large group of stakeholders combining their efforts to support children and youths in the CPS and juvenile justice systems, including judges in the Travis County family and juvenile law courts, Travis County juvenile probation representatives, CPS caseworkers, Travis County parole officers, Court Appointed Special Advocates (CASA), attorneys for families and children, and services providers to the affected children and families. The group works together to address the needs of participating children in the areas of education, mental health, workforce preparedness and development, permanency pacts, and safe and sustainable independence (for youth aging-out of the CPS system).

The Model Court works to design and serve as a laboratory for the development of best practices in the court systems as well as modeling these practices through transparency and cooperation among the participants in child welfare and juvenile justice cases. A recent report by Texas Appleseed noted significant successes of Travis County in implementing best practices and achieving better outcome for children who are in CPS's permanent managing conservatorship (PMC).¹⁹ Comparing Travis County outcomes for the PMC population with those in other Texas areas, the report states:

Travis County has experienced the largest decrease in its PMC population, beginning in 2007 when the judges began reexamining their court practices and regularly implementing certain best practices such as having children in court, engaging the family, and holding both permanency review and follow-up hearings more often. Between 2007 and 2011, the statewide PMC caseload per capita

¹⁸ Travis County is dually designated for both its family courts and juvenile justice courts by the National Council of Juvenile and Family Court Judges.

¹⁹ *Children in Long-Term Foster Care: Outcomes, Court Hearing Practices, and Court Costs*, Texas Appleseed, May 2012, at 7.

decreased by 15%, while Travis County's PMC caseload per capita decreased by 57%.²⁰

This report further noted that between the years 2004 and 2009, Travis County improved its permanent placement rate by 20%; going from placing children in permanent homes for 67% of the PMC children to 87% in those five years.²¹

The Model Court Collaborative Council has identified and developed subcommittee initiatives in furtherance of its goals, including the: 1) Court Ordered Services Pilot Project; 2) Paternity Initiative; 3) Education Initiative; and 4) Standing Disproportionality Initiative. Also, in conjunction with the Travis County Juvenile Court, the Model Court participates in the ongoing work of the Crossover Youth Practice Model, discussed below.

(1) Court Ordered Services Pilot Project

This initiative is aimed toward delivering services more quickly and efficiently to shorten the life of a child welfare case, by early identification of the problems that led to CPS's intervention, prompt provision of services, and by increased accountability and compliance of the family. These goals are achieved by 1) the appointment of an attorney for the children and parents immediately once a petition is filed in a child welfare case, and 2) requiring the attorneys to meet with the family before the 14-day hearing, so that services can be ordered at that hearing. The working theory is that the more quickly services are delivered to a struggling family, with family compliance and positive reinforcement for the compliance, the higher the likelihood of achieving a rapid positive outcome for the children and family.

(2) Paternity Initiative

This initiative is aimed at improvement of the processes and procedures for testing to identify a child's father. Its goal is to ensure prompt, accurate determination of paternity in child welfare cases. This initiative works to develop interagency relationships, protocols and best practices and then training staff and agency partners to coordinate and improve these testing processes and procedures to achieve faster determinations of true paternity.

(3) Education Initiative

The Education Initiative is working to coordinate efforts to improve educational outcomes for children in foster care in Travis County. Texas children and youth in foster care face special challenges and instability at all levels including their educational development and experience. Changes in substitute care placements frequently disrupt these children's education, which often was neglected before entering care.

A recent study by the Supreme Court of Texas Permanent Judicial Commission for Children, Youth and Families' Education Committee made recommendations for extensive modifications of child welfare policies and daily practices to help school-age children in foster care.²² Greater attention is being given to ensure CPS and the child welfare courts are focusing

²⁰ *Id.*

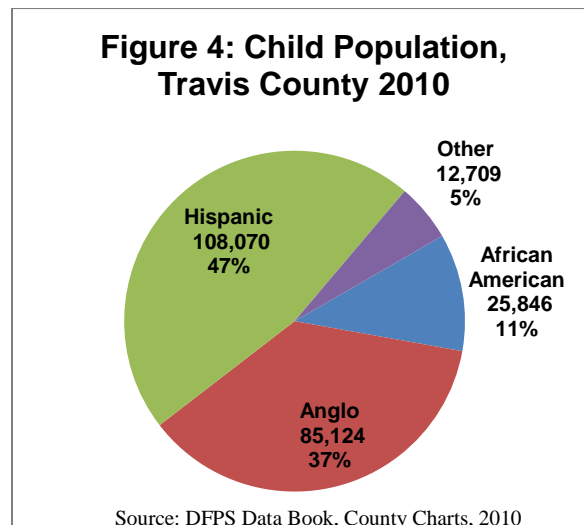
²¹ *Id.* at page 10.

²² *The Texas Blueprint: Transforming Education Outcomes for Children & Youth in Foster Care*, Supreme Court of Texas Permanent Judicial Commission for Children, Youth and Families, March 31, 2012.

on educational stability issues for these children and youth. Implementation of recommendations, including those for 1) more judicial oversight of foster children's education, 2) increased data and information sharing, 3) keeping foster children in their school or origin whenever feasible, 4) identifying a specific adult to support, advocate and make decisions about a foster child's education, and 5) increased training and resources to support implementation of best practices, are expected to more effectively serve the education needs of children in foster care.²³

(4) Disproportionality in the CPS System

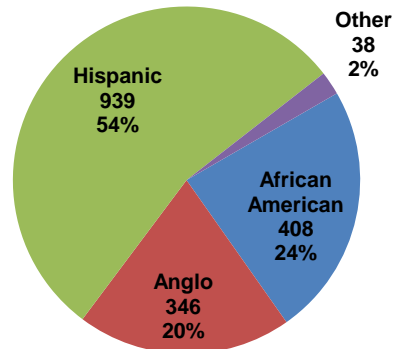
Increased attention has been directed to the over-representation of African American children in the DFPS system. This is a national trend that also occurs at the local level as indicated in Figures 4-6 below. While African American children make up only 11% of the Travis County child population, they account for 24% of confirmed cases of abuse or neglect and 37% of cases where the child is removed from the home. Hispanic children are also slightly over-represented in the number of confirmed victims of abuse or neglect.²⁴



²³ *Id.* at page 18.

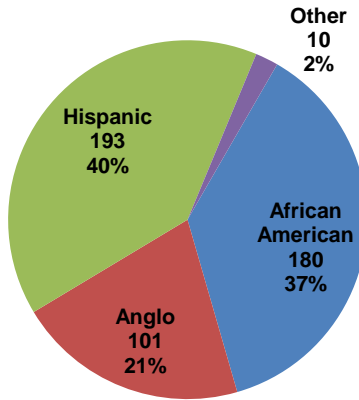
²⁴ Texas Department of Family and Protective Services 2010 Data Book, County Charts, www.dfps.state.tx.us/documents/about/Data_Books_and_Annual_Reports/2010/10CountyCharts.pdf

Figure 5: Confirmed Victims of Abuse/Neglect, Travis County, 2010



Source: DFPS Data Book, County Charts, 2010

Figure 6: Removals, Travis County, 2010



According to a DFPS report, the causes of disproportionality are “multifaceted and complex”, so the solutions must be as well. Poverty is a common indicator for many families involved in the child welfare system and solutions will likely need to address economic security and related supportive factors.²⁵ The state has been mandated through SB6 of the 79th Legislature and SB758 of the 80th Legislature to continue to research and address this issue.²⁶

TCHHS-OCS representatives and CPS Board members participate in the Austin Area In addition, the Model Court Collaborative Council has a Standing Initiative from the National Model Courts on Disproportionality Advisory group that meets monthly. The primary focus of the group is to respond to the legislative mandate for each region to have an advisory committee,

²⁵ “Disproportionality in Child Protective Services,” Texas HHSC DFPS, 2006, www.dfps.state.tx.us/documents/about/pdf/2006-01-02_Disproportionality.pdf

²⁶ “Disproportionality: The Disproportionate Representation of Ethnic or Racial Groups in the Child Protective Services System,” Texas DFPS, www.dfps.state.tx.us/Child_Protection/Disproportionality/default.asp

known as "Courts Catalyzing Change". It collects county-wide data on children and families in the child welfare system with the goal of providing more information for achieving racial parity in the child welfare system.

(5) Crossover Youth Practice Model

The Crossover Youth Practice Model works to coordinate services for children and youth in the CPS system because of abuse or neglect and in the Travis County Juvenile Court system for the commission of crimes. This program was designed and supported through Georgetown University and Casey Family Programs to help youth who are simultaneously receiving services from both the child welfare and juvenile justice system.²⁷ After two years, five counties in Texas, including Travis County, are implementing this model. Youth must be placed in Travis County and have juvenile charges in Travis County to be part of its program; if either the CPS placement or the juvenile justice case is in another county, a youth is ineligible for the program. Only youth with Class B offenses and above are eligible to participate. The program had served approximately 91 Travis County youth as of July 2012. Agencies work together in a cross-system effort to communicate more effectively and coordinate services to achieve better outcomes for the youth served.²⁸

Adoption: Finding Permanent Homes for CPS Children in Travis County

The typical outcomes for children in substitute care include: (1) returning home; (2) a relative taking permanent custody; (3) adoption by a non-relative; or (4) aging-out from the child welfare system at age 18.²⁹ DFPS reports that approximately 40% of adoptions in Texas are kinship adoptions, which have more than doubled since 2005. In FY 2011, 4635 CPS children were adopted statewide.³⁰ The total number of DFPS children who were adopted increased significantly from FY 2005 to FY 2011.³¹

Texas Appleseed's recent report highlighted Travis County's relative success as compared to other Texas jurisdictions in finding permanent homes for older children in DFPS conservatorship, stating that:

CPC Central Texas and Travis County have the largest reductions in their PMC populations at 39% and 42%, respectively, between FY 2007 and FY 2011. These jurisdictions are achieving permanency at higher rates for 16-year old legal orphans, children whose parental rights have been terminated, before either group ages out. Travis County finds permanent homes for 47.4% of 16-year-old legal orphans, well above the average for all other jurisdictions.³²

²⁷ *Juvenile Justice and Child Welfare Integration*, A project between Casey Family Programs and the Georgetown University Center for Juvenile Justice Reform, Breakthrough Collaborative Series Number 007, December 2010. http://www.casey.org/Resources/Publications/pdf/BreakthroughSeries_JuvenileJustice.pdf

²⁸ For example, placements that traditionally have been broken once a youth in substitute care was arrested often can be continued through cross-agency coordination, resulting in greater stability for the affected youth.

²⁹ DFPS approves adoptive homes and also contracts with licensed, private child-placing agencies to increase the number of parents available to adopt children in foster care.

³⁰ Texas Department of Family and Protective Services, 2011 Annual Report, at page 16.

³¹ *Id.*

³² *Children in Long-Term Foster Care: Outcomes, Court Hearing Practices, and Court Costs*, Texas Appleseed, May 2012, at 11.

The CPS Board helps support Travis County CPS adoptions by participating as a sponsor of Travis County Adoption Day each November.

Programs for Youth Aging-Out of the CPS Foster Care System

Despite the efforts of everyone in the system, permanent homes cannot always be found for children before they turn 18 years old. Many of these youth are not eligible to be adopted. According to the Center for Public Policy Priorities, in 2009 over 1400 youth in Texas had aged-out of the foster care system.³³ In 2011, 1410 Texas youth in CPS conservatorship were emancipated. With no home or family, these youth face overwhelming obstacles to successful integration into functioning adulthood.

Support services and benefits are provided to eligible youth, ages 16 to 21, and in some cases up to age 23, for certain educational or vocational needs to assist them when they leave foster care. In an effort to help to this youth population, DFPS created a problem solving process called “Circles of Support” (COS) for youth age 16 and older. In COS, the foster youth identifies caring adults that make up his or her support system. These can be teachers, relatives, church members, mentors, or any other appropriate, concerned adults. They work together to develop the youth’s transition plan with each participant committing to provide some help to the foster youth. The COS is the preferred model for developing or reviewing a youth’s transition plan, and in 2011, 311 children participated in COS in CPS Region 7.³⁴

Another program provided to help youth aging-out is the Preparation for Adult Living (PAL) Services. PAL provides information and training for participants to prepare them for life once they have aged-out of the system. The services can include help with financial literacy, finding a place to live, and enrolling in higher education or vocational training.

The CPS Board offers assistance to older foster youth in Travis County by paying for class rings and graduation gowns. Additionally, the CPS Board attempts to provide customized tutoring and driver’s education classes to prepare those youth who are aging out in the system.

Duties and Functions of the Travis County Children’s Protective Services Board

The 15-member CPS Board is created by statute and its members are appointed by the Travis County Commissioners’ Court. Its primary function is to evaluate expenditure requests and to direct and oversee the use of its annual budget, which comes from the county’s general fund to be used for children and families involved in the child welfare system. The board members must be residents of Travis County, and the four commissioners and the county judge each have three appointments to the CPS Board. CPS Board members serve three-year terms and operate under bylaws approved by the Commissioners’ Court.

³³ Burstain JM., *Implementing the Permanency Care Assistance Program*, Center for Public Policy Priorities. March 10, 2010.

³⁴ Department of Family and Protective Services Databook 2011.

Ex-officio members include the chief juvenile probation officer, a foster youth member, a member of the Capital Area Foster Parents Association, and the executive manager of Travis County Health and Human Services and Veterans Services. DFPS representatives attend CPS Board meetings and provide regular reports on the status of the agency and the children and families it serves. A TCHHS-OCS staff representative attends CPS Board meetings and serves as a liaison between the County Commissioners and the CPS Board, providing budget data, information and support about county services. Travis County TCHHS-OCS staff also process CPS Board approved expenditures.

Responsibilities of the Travis County Children's Protective Services Board
Oversee the county-appropriated funding for child protective services
Cooperate and assist CPS with developing local resources for child care, interpreting CPS's work to the community, and encouraging high standards of casework
Consult with the Commissioners' Court and DFPS and advise about the welfare of Travis County's vulnerable children and their families
Cooperate with all local, state, and federal agencies in developing and coordinating community child welfare programs
Participate in assessing and planning for the needs of children in Travis County, and report to the Travis County Commissioners' Court
Advocate for appropriate services and support for vulnerable children and families

CPS Board Budget

The CPS Board budget is comprised of Travis County general funds and reimbursement funds from the federal government that are received quarterly. In 2011 the CPS Board's budget from Travis County was \$322,353. Each year the CPS Board approves the budget guidelines for use of these funds for children in the child welfare system. The budget guidelines for FY 2011 are attached in the Appendix. All requests that fall within the pre-approved guidelines are submitted by CPS and processed directly by Travis County staff. All requests that are in excess of or outside the budget guidelines are submitted for the CPS Board's consideration at its monthly meeting.

The CPS Board worked with CPS and Travis County staff and approved many extraordinary funding requests to address Travis County children's needs over the past four years, including for example: (1) a court-ordered special neuropsychological exam for a child with very complex mental health conditions to help determine the best placement and treatment plan; (2) an educational trip with the class for a foster child who had worked hard and excelled in high school; and (3) a specially-fitted protective helmet to help a young child who has shaken baby syndrome.

Additional Funding Request to Support the Cost of Advanced Drug Testing Methods

The combined resources of DFPS, Travis County and area non-profit organizations have struggled to keep up with the increasing need for services for Travis County children and families in the CPS system. Increases in the incidence of abuse or neglect in 2011, combined with the population growth in the county, only adds to the increased needs and associated expenditures.

Predominant among the increased demands on the CPS Board budget is the cost of advanced drug-testing techniques used in cases where drug abuse is a contributing factor to child abuse or neglect. The CPS Board historically has approved payment from its budget for urinalysis testing of parents in child welfare cases when other budgets for such testing were exhausted. The development of advanced methods of testing for drugs by chemically analyzing hair strands³⁵ can now more accurately establish proof of persistent substance abusers. This testing carries a much higher cost, however, and greatly depleted the CPS Board's annual budget in 2011. The CPS Board wants to continue its support for this testing, which the Travis County District Attorney's office reports is extremely useful as evidence in court cases to determine whether children can be safely reunified with parents with a history of drug abuse and child abuse or neglect.

CPS is taking steps to ensure that the more expensive segmented hair tests requested by their caseworkers are done when appropriate as authorized by CPS program directors or under court order. With the growing number of families becoming involved with CPS and Travis County child welfare courts and judges continuing to order segmented hair testing, however, the CPS Board expects this expensive budget item will continue and has requested that its budget be increased to continue this support item for the Travis County child welfare system.

CPS Board Activities and Accomplishments

The CPS Board has continued to provide responsible stewardship of Travis County funds to help children in the CPS system and their caregivers. Its members donate their time and efforts to serve this population and take an active role in responding to the concerns expressed by CPS representatives and the community. The following are descriptions of CPS Board activities and priority areas along with a description of its committees.

³⁵ Hair growth fed by the bloodstream reveals this abuse by analyzing a small sample of hair and measuring the drug molecules which are embedded indefinitely inside the hair. This testing can reveal illegal drug use for a greater length of time and more accurately than traditional urinalysis testing.

Committee	Responsibilities
Executive Committee	Oversight of board, leadership, annual report, recruitment, serve as officers on CPS and SKF boards, oversight of progress of committees, emergency action in absence of the full board
Budget Committee	Advise board on expenditure requests, budget oversight for board and SKF funds. Accounting, public policy, awards and appreciation, resource distribution (equipment, programs, and other efforts)
Fundraising & Service Project Committee	Oversight of all events, facilitate CPS Board progress toward annual fundraising goal, raise money through private donations, plan events and fundraising campaigns
Public Awareness & Advocacy Committee	Advocate for support of Travis County children in the child welfare system; advocate for support of the caregivers of those children (kinship, foster and adoptive parents), educate the community and Commissioner's Court, support legislative efforts that could positively affect children in Travis County, create website posts and informational materials

The CPS Board has worked to assist and help research into other local partnering agencies and resources for the benefit of Travis County CPS-involved families. The following are some accomplishments of the CPS Board in the reporting period:

CPS Board Outreach, Service and Advocacy

1. Participated in the Light of Hope Celebration of Families with an information booth about the CPS Board;
2. Supported the CPS Adoption Day each November;
3. Sponsored and hosted a holiday breakfast for CPS staff at both Austin area CPS office locations each December;
4. Participated on the Citizens Review Team, which internally reviews the most difficult CPS cases, and on the CPS Regional Death Review Committee and Child Fatality Review Team;
5. Participated in a collaborative kick-off event to raise awareness that April is Child Abuse Prevention Month;
6. Participated as a liaison to the Disproportionality Advisory Group;
7. Participated as a liaison for Youth Aging Out Subcommittee of the Ready by 21 Coalition;
8. Participated as a liaison for the Travis County Model Court Collaborative Council;
9. Collaborated with Partnerships for Children to support the Payton Lynn Program;
10. Participated in strategic planning sessions at its CPS Board and SKF retreats in 2008 and 2011; and
11. Prepared and presented an update report to the Travis County Commissioners' Court with information about the status of Travis County children in the child welfare system.

CPS Board has a webpage on Travis County's website at www.co.travis.tx.us/cps. The CPS Board also created a separate website to raise awareness of the CPS Board's and Safe Kids Fund's work, at www.traviscountycpsboard.org. The purpose of the website is to help educate the community about the CPS Board's mission and activities, and to provide further information about local resources in the areas of prevention and treatment of child abuse and neglect.

The CPS Board participated in its state and regional counterparts by sending a board representative to the Central Texas Council of Child Protective Boards and Texas Council of Child Welfare Boards. The CPS Board nominated CPS caseworkers and foster parents for awards by the regional and state councils. CPS Board directors have partnered with CPS staff in training activities, foster/adopt recruitment efforts, promotion of child abuse prevention, support of youth in transition programs and advocacy for children.

The CPS Board also has participated as a liaison to several excellent initiatives in Travis County working to improve the lives of children and youth in the CPS system. In addition to those discussed previously in the report, the following summarizes the missions and activities of some noteworthy group initiatives on which the CPS Board focused:

1. Youth Aging-Out Subcommittee of the Ready By 21 Coalition

The *Fostering Connections to Success and Increasing Adoptions Act of 2009* increased federal emphasis on service provision for aging-out issues for youth who are not reunited with family or adopted, and attain the age of majority and age-out of foster care. The 2009 Texas Legislature also addressed this issue, mandating that DFPS provide additional supports designed to improve graduation rates, aging-out preparations, employment preparations, and continued supports beyond age 18, so that young people are better able to pursue higher education, advanced job training, stable careers, and successful adult living. DFPS is charged with placing an increased emphasis on educational, medical, and mental health service planning, home and educational stability, and improved efforts to ensure all aging-out youth have access to all of their needed records and documentation.

The Austin-Travis County Community Action Network (CAN) created a broader community coalition whose focus is to address the needs of youth aging-out of foster care. The CPS Board participated in the lobbying effort that led to the creation of this subcommittee of the Ready by 21 Coalition, an Issue Area Group of the CAN, with broad representation among city and county agencies (e.g., AISD, TC-HHS, Austin Community College), nonprofits (e.g., United Way Capital Area, Foundation Communities, Lifeworks), and businesses (e.g., the Greater Austin Chamber of Commerce). This forum facilitates connection among these groups to share information and resources, increase public awareness, and help ensure that the needs of these multiply-at-risk youths are getting appropriate attention. The group works in partnership to address the youths' needs in an ongoing, systemic and community-wide collaboration, to best support the transition of youths leaving the system to independent adult living.

2. YES (Youth Empowerment & Success) Mentor Program

The non-profit organization Partnerships for Children created a mentoring program for older youth in foster care who are likely to age-out of the system, and the CPS Board has assisted in this effort. This responds to the requests of youths in care, CPS and aftercare staff, and community partners to provide more one-on-one support to youths aging-out. Youths in the program receive help opening savings accounts through the program and receive a stipend for the initial deposit. The youths take classes related to interviewing, job shadowing, and completing applications for trade school or college. The goals of this mentoring program are to improve the outcomes of youths aging-out of care by providing emotional and practical support to help youths bridge the gaps in the transition to adulthood.

3. Payton Lynn Program

In 2010, 11 child deaths occurred in Travis County while children were co-sleeping with others. That same year Partnerships for Children (whose former executive director, Deborah Risovi, was also the CPS Board chair), helped initiate the Payton Lynn Program, a multi-agency and group collaborative program which works to ensure safe sleeping for infants.³⁶ The Payton Lynn Program educates and informs high risk families of Travis County about safe sleeping practices for their young children in an effort to prevent infant death from unsafe infant sleeping practices.

The Payton Lynn Program is aimed at small children (ages 2 and under) in homes under current CPS investigation and FBSS families. Collaborating agencies and non-profit groups include DFPS, Austin-Travis County EMS, Partnerships for Children, and the CPS Board. DFPS and Austin-Travis County EMS work to identify and recruit high risk families into a proven preventative program. The CPS Board has assisted in this program with funding for Pack 'n Play bassinets. Through Partnerships for Children, the Payton Lynn Program procures Graco Pack 'n Play bassinets to give to families that have been screened by CPS and educated by trained Austin-Travis County EMS Sleep Techs.

Capital Area Safe Kids Fund

Children's Protective Assistance, Inc., d/b/a the Capital Area Safe Kids Fund (SKF), is a 501(c) (3) non-profit organization that works in conjunction with the CPS Board. Its members and officers are the same as those of the CPS Board. SKF raises money to spend supplementing state and Travis County funding for children and families in the CPS system. Its activities are conducted entirely by volunteers.

SKF's charitable funds are used for (1) good or services sought from the CPS Board that are considered ineligible for state, federal or Travis County funding, and (2) payments of bills that are reimbursable by state or county funds, but which are time-sensitive, urgent needs that must be paid more quickly than possible using public funds. SKF has also coordinated to find other resources for such expenses, such as enlisting Catholic Charities to pay airfare to reunite a foster youth with her mother who travelled from a foreign country to find her daughter.

³⁶ The program was named for Payton Lynn Eeten, the infant daughter of two Austin-Travis County paramedics who died in a co-sleeping accident.

SKF participates as a sponsor of Travis County Adoption Day each November. In addition, in the reporting period SKF also has funded or helped fund such items as:

1. Advancing court fees for adoptive parents of CPS children (which are subsequently reimbursed by Travis County);
2. College housing deposit for a former foster child moving from a LifeWork's shelter;
3. Child care for foster families;
4. Clothing purchase cards for foster families when Target ceased to carry an account with DFPS for the purchase of foster children's clothing;
5. Advances for immediate payment of children's medical treatment;
6. Travel expenses for parents to visit a child in an out-of-county placement;
7. Expenses for caseworker to accompany a foster child on a trip;
8. Food and refreshment for CPS staff training meetings;
9. Support for the Prom Project for foster youth, which provides foster teens with attire and other items they need to attend their high school proms; and
10. Events to recognize and encourage foster parents and CPS staff.

CPS Board and Safe Kids Fund Board Composition

The table below lists each member of the Travis County Children's Protective Services Board as of July 2012 and the County Commissioner's precinct from which each was appointed.

Members:

Carole Hurley, J.D., Chairperson (Precinct 2)
Nikki Simms, Vice-Chairperson (Precinct 1)
Matt Garcia, J.D., Treasurer (Precinct 3)
Mary Wolf, J.D., Secretary (Precinct 3)
Ann Stanley (County Judge Biscoe)
Lindsey Hale (County Judge Biscoe)
DeeLyle Bryan (Precinct 1)
Laura Wolf, J.D. (Precinct 2)
Blaine H. Carr, PhD (Precinct 2)
Jeanne Stamp, LCSW, LMFT, LCDC (Precinct 4)
Lynn Perkins (Precinct 4)
Angelica Salinas Evans, J.D. (Precinct 4)

Ex-Officio Members:

Estela Medina, Chief Juvenile Probation Officer
Barbara Swift, Travis County Juvenile Probation
Sherri Fleming, Executive Manager, Travis County Health & Human Services and Veteran Services
Trevon Harris, Youth Member

Staff Liaisons:

Andrea Colunga Bussey, Director, Office of Children Services, Travis County Health & Human Services

Doantrang Lam, Office of Children Services, Travis County Health & Human Services

Laura Peveto, Office of Children Services, Travis County Health & Human Services

Ingrid Vogel, Program Administrator, Department of Family and Protective Services

Danya Derrick, Program Administrator, Department of Family and Protective Services

Acknowledgements

The CPS Board thanks the ex-officio members and staff liaisons for their assistance to our volunteer board in working to address issues of child welfare in Travis County. We especially wish to thank Andrea Colunga Bussey, Jim Lehrman, Barbara Swift, Danya Derrick, Ingrid Vogel, Carol Self and the Travis County Health and Human Services and Veterans Services Research and Planning staff for their professionalism, dedication and good work for Travis County children and youth and their kind help and guidance of the CPS Board in its work.

The CPS Board also thanks former board members Milbrey Raney and Brie Franco and Travis County Health and Human Services staff members Koren Darling and Anna Lisa Farenthold for their substantial help in the research and preparation of this report.

Appendix

Figure 1

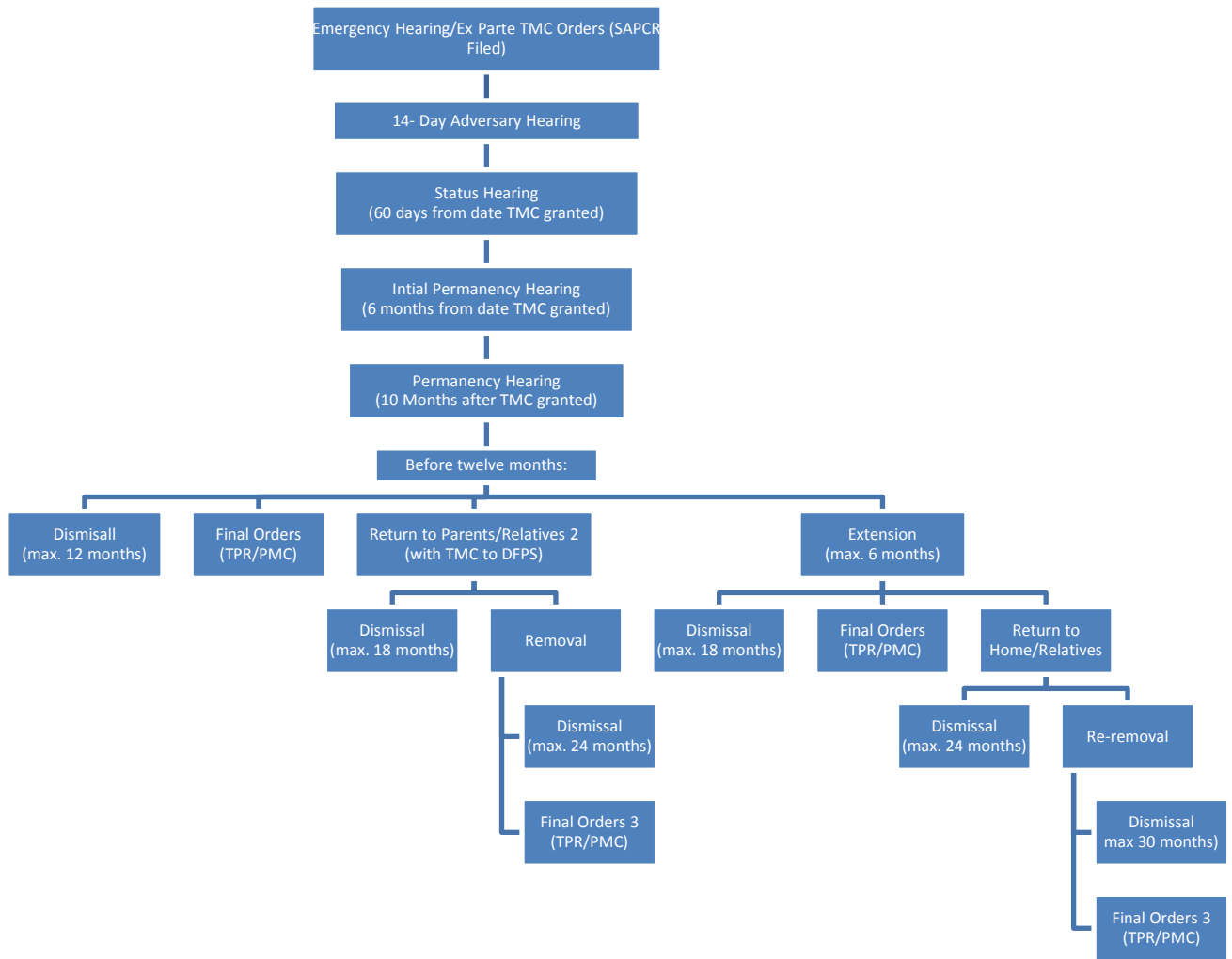
CPS Process Overview of a Child Welfare Case



(Source: University of Texas School Of Law's Children's Rights Clinic in collaboration with DFPS)

Figure 2

Overview of Court Process of a Child Welfare Case



(Source: DFPS Data Books, County Charts, 2008-2011)

APPENDIX B

Travis County Children's Protective Services Board Budget Policy and Procedures

These policies are intended to provide guidance and direction to the staff of Region 7 of the Texas Department of Family and Protective Services, who are responsible for services in Travis County, regarding the use of appropriate payment mechanisms and the coordination of funding streams available to support the protective services program. Where appropriate, the DFPS administrative staff will establish certification mechanisms and/or checks and balances to indicate that these directives of the Board will be observed.

It is the intent of the Board that **all other potential funding streams** (Federal, State or other applicable County social service programs) be explored and deemed ineligible before County General Revenue dollars that are appropriated to the Travis County Children's Protective Services Board can be utilized for payment of expenditures. **If the request falls within the spending limitations and guidelines, and funds are sufficient to cover the request, DFPS staff has approval authority.** However, DFPS Program Directors should use appropriate discretion, and bring forward any unusual requests. **Requests exceeding the proscribed spending limits/guidelines must be presented to the Board for their approval.**

The following table explains spending limitations and guidelines for specific requests:

DESCRIPTION	ACCOUNT NUMBER	SPENDING LIMITS	DESCRIPTIONS & SPENDING GUIDELINES
DAILY LIVING:			
Clothing, Uniforms	510050	\$500 per child per year	Intended for costs of the day- to-day support of children in foster care or placed with relatives.
Textiles, Linen	511310	\$75 per request not to exceed total of \$225 in a year without Board approval	
School Supplies, Education, Communication Equipment and Supplies	511310	\$50 per child per year	
Gifts	511350	\$30 for Birthdays per child per year \$30 for Christmas per child per year \$300 for Graduations per child per year \$50 for Special Events per child per year	Gifts will be provided for special occasions during the year and at significant times in the duration of the child's foster care placement (Birthdays, Graduation, Christmas, and other special events).

APPENDIX B**HEALTH CARE:**

Physicians In-patient services-indigent	511123	\$200	<ul style="list-style-type: none"> Personal insurance, Medicaid/ Title XIX, CHIP, or MAP must be exhausted before related expenditures may be paid from the Travis County Children's Protective Services Board Budget Requests for psychological/psychiatric evaluations and therapy must fall within the state contract rates (see attached). Requests for therapy are limited to 8 sessions at a time (not to exceed the \$850 limit unless received prior board approval). Requests to continue therapy beyond 8 sessions must be made to the board and include progress reports from the provider in the request.
Drug & Pharmaceutical Supplies	510090	\$100	
Dentists / Dental Care	511020	\$200	
Medical Care – Indigents Medical Services	511123	\$500	
Medical Exams/ Victims (Court related)	514190	\$500	
Psychiatrist/ Psychologist (Court related) – this line item will include payment for therapy sessions	511070	\$850 \$1250 Neuropsychological one per child/adult per fiscal year – only authorized to process a total of 6 requests in a year without direct board approval	
CHILD CARE:			
Child Care Discretionary (Day Care)	511310	CCS Rates	<ul style="list-style-type: none"> All requests for day care must fall within approved CCS guidelines and rates. Day care Day Camp Summer camp / summer school Driver's ed

APPENDIX B

Child Care Local Funding – Discretionary (Overnight care)	511310	Level of Care Rates	<ul style="list-style-type: none"> ▪ Emergency placements for children who are returned to a parent or conservator prior to DFPS obtaining court ordered conservatorship. ▪ Requests must fall within State level of care rates. ▪ Textile, linen ▪ School supplies ▪ Birth certificate
DIRECT SERVICE SUPPORT:			
Transport – Indigents	511400	\$150 per client per year Up to \$1500 per year for the purchase of City bus passes	Available to assist staff with case progress.
Other Purchased Services	511442	\$450	Other Human services Driver's ed., summer camp and day camp, birth certificates, summer school, and other expenses specifically for children in care.
ADMINISTRATIVE EXPENSES:			
Volunteer Recruitment	511420	\$500	These line items will be expended for recruitment purposes.
ALL ITEMS BELOW NEED BOARD APPROVAL BEFORE REQUEST CAN BE PROCESSED:			
Available to assist staff with case progress			
Drug & Pharmaceutical Supplies	510090	Any amount over \$100 Board approval needed.	Intended for Caseworker to do testing on site.
Transport – Indigents	511400	Any amount over \$1500 for city bus passes needs Board approval.	Intended for costs of the day-to-day support of children in foster care, placed with relatives or to avoid removal.
Textiles, Linen	511310	Any amount over \$225 Board approval needed.	
School Supplies, books Education, Communication Equipments and Supplies	511310	Any bulk purchase needs Board approval	
Beds, portable cribs, safety seats, strollers, toys	511442	Any bulk purchase needs Board approval	